

SINGLE FAMILY DWELLING INCREASE FROM 3 TO 4 INDIVIDUALS

Administrative approval by the Zoning Administrator subject to the following:

1. Allowed only in single family detached dwellings in a rental inspection district.
2. Lots with multiple dwellings do not qualify for an increase in occupancy from 3 to 4.
3. Good for four years (May 31st of the fourth year) if approved.
4. Annual inspections are required by the Zoning Administrator.

What's needed?

1. An application which must be signed by the property owner(s).
2. A plot plan showing the location of the dwelling, on-and off-street parking, the lot coverage of the driveways and parking areas and the location of trash and recycling containers.
3. A floor plan showing the location, name, dimensions and floor area of all rooms.
4. The dwelling must have a minimum living space floor area of 2,000 square feet. Garages, unfinished basements or other unfinished areas are not counted towards the required living space total.
5. Four parking spaces to include a combination of on-street and off-street parking spaces. Only on-street spaces that are adjacent to and in front of the property can count towards the required parking.
6. Trash and recycling containers must be screened by a fence or wall.
7. An inspection by the Code Compliance Division to determine compliance with the Property Maintenance Code.
8. Inspection by the Zoning Administrator of the interior and exterior to verify all requirements are met.

If the above information has been verified and approved the Zoning Administrator issues a conditional certificate of occupancy for up to 30 days. During this time the owner must provide the following:

1. A copy of the lease with the names of the four occupants and their telephone numbers.
2. The owner may redact from the lease the yearly and monthly rental amounts prior to submitting the lease.
3. All subleases must be in writing and must contain the name and telephone number of the new tenant(s) with their starting and ending date. The sublease must be submitted and approved by the Zoning Administrator prior to subleasing.
4. A pamphlet must be provided to the tenants by the owner or their agent. The owner or agent must sign an affidavit that they provided the pamphlet to their occupants.
5. Each tenant must sign a form certifying that they have read, understand and agree to comply with the requirements of the program. Any new tenants must sign the form and submit to the Zoning Administrator prior to occupancy.
6. A certificate of occupancy shall be issued if the above information has been submitted and approved by the Zoning Administrator. Approval is good for four years with expirations being May 31st of the fourth year.

Violations

1. Repeated, founded complaints or violations of the City Code shall be cause for revocation of the certificate of occupancy. Excessive noise, litter, Virginia Uniform Statewide Building Code, Fire Prevention Code or other behaviors at the dwelling constituting a nuisance qualify as complaints or violations.
2. If the Zoning Administrator receives a valid complaint that the number of occupants exceeds four, a notice will be provided to the occupants of the property that an inspection of the property is scheduled with 24 hours notice to the tenants. The occupants of the property must allow the inspection of all rooms for the sole purpose of determining the number of individuals residing on the property.
3. If the property is found to have violated the number of residents allowed the certificate of occupancy shall be revoked and the number of individuals allowed in the dwelling shall be reduced to three.
4. If a permit has been revoked, the owner cannot apply for a new permit for a period of four years.
5. A change in ownership from the owner who had the permit revoked will allow the property to become eligible if ordinance requirements are met at that time.